

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HARRY SMITH, JR. and ROSLYN
WOOARD SMITH, Individually and as
Administrators of THE ESTATE OF
HARRY SMITH, III

Plaintiffs,

$$V_{\alpha}$$

CITY OF WILMINGTON, JOHN
CIRITELLA, THOMAS DEMPSEY, and
MATHEW KURTEN,

Defendants.

Case No. 04-1254-GMS

**REDACTED
PUBLIC VERSION**

**APPENDIX TO
DEFENDANTS' OPENING BRIEF IN SUPPORT
OF THEIR MOTION FOR SUMMARY JUDGMENT**

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Dated: June 14, 2006

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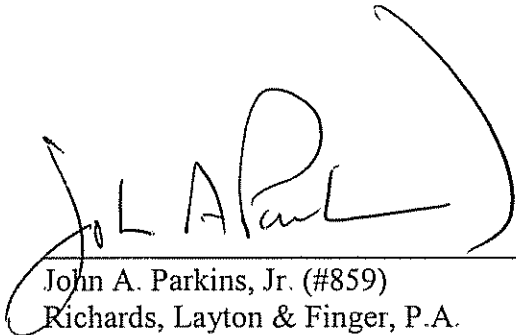
CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2005, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing(s) and Hand Delivered to the following:

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I hereby certify that on June 21, 2005, I have sent by U.S. Regular Mail, the foregoing document to the following non-registered participants:

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